

P-407/CP-93-664 ORDER DENYING PETITION AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition for
Extended Area Service From the
Babbitt Exchange to the Ely
Exchange

ISSUE DATE: October 18, 1993

DOCKET NOS. P-407/CP-93-664

ORDER DENYING PETITION AND
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PROCEDURAL HISTORY

On July 20, 1993, certain subscribers in the Babbitt exchange filed a petition for extended area service (EAS) to the Ely exchange. The Babbitt exchange is served by GTE Minnesota (GTE).

On July 23, 1993, the Minnesota Department of Public Service (the Department) asked GTE to file traffic studies for the EAS route in question.

On September 1 and September 7, 1993, GTE filed a traffic study and a revised traffic study, respectively.

On September 9, 1993, the Department filed comments on GTE's traffic study, recommending that the Commission dismiss the petition and close the docket.

On October 12, 1993, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

According to the extended area service (EAS) statute, the Commission must grant a petition to install EAS if 1) the petitioning exchange is contiguous to the petitioned exchange or local calling area, 2) at least 50 percent of the customers in the petitioning exchange make one or more calls per month to the petitioned exchange or local calling area, and 3) a majority of the customers in the petitioning exchange responding to a poll indicate that they favor its installation. Minn. Stat. § 237.161, subd. 1 (a) (1992).

In processing EAS petitions, a threshold determination is whether the petition meets the statute's traffic requirement.

Traffic Requirement

According to the traffic study filed by GTE, fewer than 50 percent of Babbitt's subscribers make one or more calls per month to the Ely exchange. Therefore, it is clear that the petition does not meet the statute's traffic requirement.

Commission Action

Accordingly, the Commission will deny the Babbitt petition and close this docket. Subscribers will be entitled to renew their requests for EAS after a two year period. Minn. Rules, Part 7815.1500.

ORDER

1. The petition for extended area service from the Babbitt exchange to the Ely exchange is hereby denied and the docket opened for that matter, Docket No. P-407/CP-93-664, is hereby closed.
2. Within 10 days of this Order, GTE Minnesota (GTE) shall submit a proposed customer notice to notify customers in the Babbitt exchange that the EAS petition has been denied. The Company shall include the notice in the earliest possible bill issued after the notice has been approved by the Commission.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Susan Mackenzie
Acting Executive Secretary

(S E A L)